

The background of the cover features a large, faint, circular seal. The seal contains a central shield with a sunburst and a cross. Above the shield is a winged figure, and below it is a figure holding a staff. The shield is flanked by two figures holding staffs. The entire seal is rendered in a light red or pink color.

# **ANNUAL REPORT**

## **FISCAL YEAR 2008**

Tennessee Commission of Indian Affairs

*[www.state.tn.us/environment/tcia/](http://www.state.tn.us/environment/tcia/)*

# Tennessee Commission of Indian Affairs

## ANNUAL REPORT: FISCAL YEAR 2008

### MEETINGS

21 July 2007 Nashville: special: sunset questionnaire response only  
25 August 2007 Knoxville  
17 November 2007 Nashville: Rulemaking Public Hearing on Rules for  
Recognition Criteria for Native American Indians re. proposed repeal  
of TNCIA Rule 0785-1 *vis-à-vis* TCA 4-34-103 §6  
1 December 2007 Memphis - *no quorum*  
29 December 2007 Memphis (rescheduled from 1 December)  
29 March 2008 Nashville  
21 June 2008 Knoxville

### MEMBERS

Ruth Allen, Memphis, secretary; resigned 31 July 2007  
Kippy Vaughn, East TN, vice chair; resigned 26 November 2007  
Jimmy Reedy, Middle TN; term ended 13 December 2007  
Van Lynch, West TN, chair; term ended 2 January 2008  
Jeanie Walkingstick, Knoxville  
tom kunesh, Chattanooga; secretary  
David Teat, Nashville, appointed 12 July 2007, resigned 31 January 2008  
Shelley Allen, Memphis, vice chair, chair; appointed 13 September 2007,  
resigned 9 June 2008  
Val Ohle, East TN, chair; appointed 14 December 2007  
James Meeks, Middle TN; appointed 14 December 2007  
Jimmie Thigpen, West TN; appointed 3 January 2008  
Bill Wells, Nashville; appointed May 2008

## ACTIONS

### 25 August 2007 Knoxville

- \$208.18 balance; continued as GIIC member
- Received tribal recognition application requests from "Chikamaka-Cherokee Band of the South Cumberland Plateau", "United Eastern Lenape Nation" and "Remnant Yuchi Nation" per Commission's new rule 0785-1
- American Indian Research Initiative continued (current research/data assessment)
- Native American tourism map proposal approved (initially proposed 9 June 2007)
- Tennessee Indian music CD proposal approved (initially proposed 9 June 2007)
- Continuing professional education (CPE) curriculum proposal for elementary and high school teachers on Tennessee's Native American Indian historic tribes and culture approved
- Commission informed that it needed to repeal Rule 0785-1  
Initiated the repeal process and suspended any action on the use or implementation of TNCIA Rule 0785-1.
- "Defense of 0785-1" (attached) - approved
- Approved request for legislative amendment to delete the Commission's mandated duties regarding recognition (5 and 6) (TCA 4-34-103 § 5, 6).
- Approved legislative amendment to add the appointment of one (1) Representative and one (1) Senator as non-voting members of the Commission, to be appointed by the Speaker of their respective chamber.
- tom kunesh, Chattanooga, elected secretary

## **29 December 2007 Memphis**

- Approved compilation of standing rules
- Rescinded Rule 0785-1 establishing state tribal recognition criteria at legislative Rules Committee's request (5-2)
- Approved response on rulemaking: The TCIA complies with the Joint Legislative Government Operations Committee request to repeal the Recognition Criteria Rules in order to preserve the Commission and its other statutory duties and purposes for Native American Indian Indian people in Tennessee. State recognition may be revived as a responsibility following a major effort to educate members of the General Assembly about the importance of State Recognition, Indian culture and its financial benefits to the State. (5-2)
- Elected officers
  - Secretary - tom kunesh, by acclamation
  - Vice chair - Shelley Allen
  - Chair - Van Lynch
- Approved to direct and empower the officers to effect and coordinate with the other commissioners and community the extension of the Commission's sunset date.
- Approved support of repatriation of the NAGPRA-reported 11,151 culturally-identified Native American Indian individual human remains currently warehoused in Tennessee educational and government institutions.

## **29 March 2008 Nashville**

- Approved new standing rules On officers' election, transition and duties, unanimous.
- Projects suspended pending extension of commission.
- Reviewed legislation:
  - SB3450 and SB2477 - extends Commission to 2009, approved, unanimous
  - SB3123/HB3299 - lack of information on amendments prohibits full review and comment, no action
- Valerie Ohle, East TN, elected chair.

## 21 June 2008 Knoxville

- 9 May 2008 Repeal of Rule 0785-1 effective.
- Marion 'Letha' Orrick presented the first portion of quantitative study of studying the state's NA population using statistical information: 66,000 NA & Alaska Native, 2000 date, adjusted +5%
- Approved Commission support for the TNNAC caucus and convention election process for selecting nominees and repudiates private lobbying efforts advocating specific nominee change.
- Began chair's Action Plan for TCIA 5-year strategic planning
- Approved the chair contact members of the legislative Government Operations Committees by letter to solicit their response to and suggestions concerning the Commission's interest in initiating state rulemaking on tribal recognition criteria; and if a majority of responses are positive, to empower the chair to initiate rule-making procedures, unanimous.
- Approved Commission opposition to the proposed legislation HB3299/SB32123 and amendment (to create the Tennessee State Recognition Committee and Criteria for Recognition as Native American Indian Tribe, Band or Group) due to lack of larger community and Commission input and involvement.
- Approved chair to solicit the review and input on Commission resolution, "Recognition of TN Historic Tribes", from the state Historical Commission, Archaeological Advisory Council, tribal historic preservation officers of referenced tribes, and other identified historical scholars on Tennessee Native American history, prior to submission to legislature, unanimous.
- Approved recommendation of a state Native American Indian "Organizational Directory" to ACTIA with the request that it consider implementing/publishing a state directory of Native American-related organizations, unanimous.
- Approved nomination of Pat Cummins for reappointment to Tennessee Archaeological Advisory Council (TAAC), unanimous.
- Approved recommendation to TNNAC regarding possible solutions for the between-election appointment process for other Boards and Commissions, including TAAC, unanimous.

Approved 10 October 2009

*prepared by tpkunesh 11oct09*